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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,273	01/23/2004	Chikara Morisada	00862.023439.	5785

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EXAMINER

KIM, PAUL

ART UNIT PAPER NUMBER

2161

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/762,273	Applicant(s) MORISADA ET AL.	
	Examiner Paul Kim	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ ~~Claim(s) 1-8 are subject to restriction and/or election requirement.~~

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/23/04, 06/24/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to the following communication: Application filed on 23 January 2004.
2. Claims 1-8 are pending and present for examination. Claim 1 is independent.

Information Disclosure Statement

3. The information disclosure statements (IDS) submitted on 23 January 2004 and 24 June 2005 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- Figure 6, Reference character 603.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-8** are rejected under 35 U.S.C. 102(e) as being anticipated by Murakami et al (EP 1 286 292, hereinafter referred to as MURAKAMI), filed on 16 August 2002, and published on 26 February 2003.

7. **As per independent claim 1**, MURAKAMI teaches:

A method of controlling a server apparatus which stores image data received via a network in a memory, comprising the steps of:

setting a disclosure date of the image data {See MURAKAMI, Para. 0042, wherein this reads over "[t]he attached file is an image data file"; and Para. 0085, wherein this reads over "a timer means that ticks the time, and designates the date and time when the e-mail is to be transmitted to the mail-with-entry information creation unit on the basis of the transmission date/time designation information"};

processing the image data to create processed image data and store the processed image data in the memory {See MURAKAMI, Para. 0099, wherein this reads over "plural applications for processing the attached file and, for example, when the attached file is image data, the processing unit activates an application for performing image processing"};

comparing a time ticked in the server apparatus and the disclosure date {See MURAKAMI, Para. 0085, wherein this reads over "a timer means that ticks the time, and designates the date and time when the e-mail is to be transmitted to the mail-with-entry information creation unit on the basis of the transmission date/time designation information"};

creating page information for displaying the processed image data when the time ticked in the server apparatus is determined to be earlier than the disclosure date {See MURAKAMI, Para. 0014, wherein this reads over "the data of the attached file are shared on the server, whereby plural clients can view the attached file"}, and creating page information for displaying the image data when the time ticked in the server apparatus is determined to be the disclosure date {See MURAKAMI, Para. 0087, wherein this reads over "[t]he remainder setting unit instructs to the mail-with-entry-information creation unit to transmit an e-mail when the timer included in the remainder setting unit shows the date and time designated by the transmission date/time designation information"}; and

transmitting the created page information via the network {See MURAKAMI, Para. 0094, wherein this reads over "the e-mail A that is transmitted"}.

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8. **As per dependent claim 2, MURAKAMI teaches:**

The method according to claim 1, wherein said processing step creates a plurality of processed image data, and further comprising a step of setting a level of processing performed for the image data to create each processed image data {See MURAKAMI, Para. 0099, wherein this reads over "plural applications for processing the attached file and, for example, when the attached file is image data, the processing unit activates an application for performing image processing"}.

9. **As per dependent claim 3, MURAKAMI teaches:**

The method according to claim 1, further comprising the steps of:

setting a date of creating the page information {See MURAKAMI, Para. 0042, wherein this reads over "[t]he attached file is an image data file"; and Para. 0085, wherein this reads over "a timer means that ticks the time, and designates the date and time when the e-mail is to be transmitted to the mail-with-entry information creation unit on the basis of the transmission date/time designation information"}; and

determining whether the time ticked in the server apparatus is the same as the date of creating the page information {See MURAKAMI, Para. 0085, wherein this reads over "a timer means that ticks the time, and designates the date and time when the e-mail is to be transmitted to the mail-with-entry information creation unit on the basis of the transmission date/time designation information"}, and wherein said step of creating the page information is executed when the time ticked in the server apparatus is determined to be the same as the date of creating the page information {See MURAKAMI, Para. 0087, wherein this reads over "[t]he remainder setting unit instructs to the mail-with-entry-information creation unit to transmit an e-mail when the timer included in the remainder setting unit shows the date and time designated by the transmission date/time designation information"}.

10. **As per dependent claim 4, MURAKAMI teaches:**

The method according to claim 1, wherein the same address in the network is assigned to the page information for displaying the processed image data and the page information for displaying the image data {See MURAKAMI, Para. 0055, wherein this reads over "[t]he URL creation unit creates a URL indicating the entry position of the attached file on the basis of the entry position information" and "creates an e-mail B on the basis of the second e-mail creation information that is outputted from the analysis authentication unit, and the URL that is outputted"}.

11. **As per dependent claim 5, MURAKAMI teaches:**

The method according to claim 1, wherein said processing includes at least one of mosaic processing, emboss processing, and wipe processing {See MURAKAMI, Para. 0099, wherein this reads over "plural applications for processing the attached file and, for example, when the attached file is image data, the processing unit activates an application for performing image processing" and "processing form such as 'monochrome' or 'mosaic'"}.

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12. **As per dependent claim 6**, it would be inherent for the claimed invention to consist of "a program which causes a computer to execute a method according to claim 1" since it would be functionally necessary for the method to be composed in the form of a program in order to be executed.

13. **As per dependent claim 7**, it would be inherent for the claimed invention to consist of "a storage medium which computer-readably stores a program" since it would be functionally necessary for the program to be stored on a storage medium for execution by a processor.

14. **As per dependent claim 8**, it would be inherent for the claimed invention to consist of a computer apparatus which comprised of memory and a processor since such components would be necessary in the execution and processing of the program.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Kim whose telephone number is (571) 272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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